

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 77 of 1996

WITH

APPEAL FROM ORDER NO 78 of 1996

Hon'ble MR.JUSTICE Y.B.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

JAYADEVI DEVENDRAKUMAR MAHIDA THRO' POWER OF ATTON.B.C.MAHIDA

Versus

PURSHOTTAM AMBALAL RANPARA

Appearance:

MR G.R. PATHAK for Appellant

MR SURESH M SHAH for Respondent No. 1 & 2

NOTICE SERVED for Respondent No. 3

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 09/09/98

COMMON ORAL JUDGEMENT

1. These appeals were taken up for final hearing today. As a result of the hearing and discussion, a consensus has been arrived at between learned counsel for

the parties, on the basis of which the following directions are issued:

(i) The trial court shall hear and dispose of the pending suits i.e. Special Civil Suit No.32/95 and Special Civil Suit No.31/98 respectively, as expeditiously as possible and in any case before 30th June 1999. The respective counsel have assured this Court that the concerned parties will cooperate with the trial court in the disposal of the suits as directed.

(ii) If, however, the trial court is not able to dispose of the suits by the due date, it shall entertain and dispose of on merits any application for appropriate interim relief which may be made by the present appellants, on the trial court being satisfied and recording a finding to the effect that the non-disposal of the suit as directed is on account of the defendants concerned in the suits.

(iii) The trial court shall have a discretion to refuse adjournments and/or impose conditions for granting the same in case of necessity.

2. In view of the aforesaid directions learned counsel for the appellants in these appeals does not press for any further orders. These appeals are accordingly disposed of with no order as to costs.

3. Yadi to be sent to the trial court forthwith i.e. not later than 14th September 1998. Direct service permitted.
